

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

EVAN LAW GROUP, LLC, an Illinois Limited Liability Company, individually and as the representative of a class of similarly- situated persons,)	
)	
)	
)	
Plaintiff,)	No. 15-cv-07599
)	
v.)	Judge John J. Tharp Jr.
)	
PATRIOT ROOFING, JEFF RISTICK, and JOHN DOES 1-12,)	CLASS ACTION
)	
)	
Defendants.)	
)	
)	
)	

NOTICE OF VOLUNTARY DISMISSAL

Plaintiff, Evan Law Group, LLC (“Plaintiff”), through its attorneys, pursuant to Fed. R. Civ. P. 41 (a)(1)(a), and, because this action was filed as a class action, Fed. R. Civ. P. 23 (e), hereby gives notice of their voluntary dismissal of this case without prejudice as to their individual claims and without prejudice as to the putative class members’ claims, and without taxation of costs. In support, Plaintiff states as follows:

1. On August 28, 2015, Plaintiff filed its class action complaint and motion for class certification in this Court. (Docs. 1, 2).

2. None of the defendants, Patriot Roofing, Jeff Ristick, or John Does 1-12, has filed an appearance, answered the complaint or filed a motion for summary judgment.

3. Although this action was brought as a class action, no class was ever certified, no notice of potential class certification was sent to putative class members, and this case has not received any publicity such that a putative class member would be misled into believing that his rights were being prosecuted in this action. The putative class members would have no reason to rely upon this litigation. *See Buller v. Owner Operator Independent Driver Risk Retention Group, Inc.*, 461 F.Supp.2d 757, 764 (S.D. Ill. 2006) (holding that voluntary dismissals that occur before class certification are outside the scope of Rule 23(e), as amended in 2003, and are instead governed by Rule 41).

4. Dismissal of the case without prejudice as to the putative class members' claims and without taxation of costs will not affect the rights of any putative class member.

WHEREFORE, Plaintiffs request the Court enter this notice of voluntary dismissal pursuant to Fed. R. Civ. P. 41 (a) (1) (a) and Fed. R. Civ. P. 23 (e), dismissing this action without prejudice as to Plaintiff's individual claims, without prejudice as to the putative class members' claims and without taxation of costs.

June 10, 2016

Respectfully submitted,

EVAN LAW GROUP, LLC, an Illinois
limited liability company,

/s/ Kimberly M. Watt
One of Plaintiff's Attorneys

Phillip A. Bock
James M. Smith
Kimberly M. Watt
BOCK, HATCH, LEWIS &
OPPENHEIM, LLC
134 N. La Salle St., Ste. 1000
Chicago, IL 60602
Telephone: 312-658-5500